

Notice of Allowability**Application No.**

10/647,547

Applicant(s)

GUPTA ET AL.

Examiner

PELING A. SHAW

Art Unit

2444

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/17/2009.
2. ☒ The allowed claim(s) is/are 1,4,17-19,28 and 30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20100202.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

/Peling A Shaw/
Examiner, Art Unit 2444

DETAILED ACTION

1. Amendment received on 11/17/2009 has been entered into record. Specification changes are reviewed and accepted. Claims 1 and 4 are amended. Claims 27-30 are new. Claims 2, 6-11, 13-14 and 20-26 are cancelled. Claims 1, 4, 17-19 and 27-30 are currently pending.
2. Applicant's submission filed on 06/08/2009 was entered. Claims 1-2, 4 and 10 were amended. Claims 5, 12, 15-16 were cancelled.
3. Amendment received on 09/30/2008 was entered into record. Claims 1 and 5-7 were amended. Claim 3 was canceled.
4. Preliminary amendment received on 11/02/2007 was entered into record. Claims 1-3, 10 and 12 were amended. Claims 13-26 were new.

Priority

5. The current application is a continuation of 09/153,664 filed on 09/15/1998. The filing date is 08/25/2003.

Examiner's Amendment

6. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
7. Authorization for this examiner's amendment was given in a telephone interview with Maurice J. Pirio (reg. no. 33,273) on 02/02/2010.
8. The application has been amended against applicant submitted claim set dated 11/17/2009 as follows (only examiner amended claims are shown):

IN THE CLAIMS

1. (Currently Amended) A method of obtaining and presenting multimedia content, comprising the following steps:

providing multiple media streams at a network server corresponding to the multimedia content, the multiple media streams including streams corresponding to at least first and second media types, the media streams of the first media type and of the second media type having timelines, wherein the media streams of the first and second media types can be rendered in combination to produce the multimedia content;

for each of a plurality of different playback speeds,

composing ~~[[a]]~~ multiple composite media streams ~~stream~~ that represent ~~represents~~ the multimedia content for that playback speed with varying quality requiring varying network bandwidth, by

selecting the media stream of the first type and modifying in a linear manner a timeline of the selected media stream of the first type based on that playback speed,

selecting the media stream of the second type and modifying in a non-linear manner a timeline of the selected media stream of the second type based on that playback speed; and

for each of the multiple composite media streams for that playback speed and for a quality, composing a composite media stream for the quality from the modified media stream of the first type and the modified media stream of the second type; and

storing at the network server the composite media streams ~~stream~~ for that playback speed; and

after composing and storing the composite media streams for the different playback speeds, for each of a plurality of network clients,

receiving from the network client a selection of the multimedia content to be rendered at the network client;

receiving from the network client a selection of a speed designation received at the network client from a human user, wherein the speed designation is a speed factor relative to a default playback speed of the selected multimedia content;

selecting one of the plurality of playback speeds that most closely matches the received speed designation; and

streaming the composite media stream for the selected playback speed from the network server to the network client, the composite media stream representing the selected multimedia content;

so that the network client can render the composite media stream based on the speed designation and with the media stream of the first media type synchronized with the media stream of the second media type,

so that the network server can avoid having to compose a composite media stream after receiving a selection from a network client, and

so that communication bandwidth is saved by not having to send the unmodified multimedia content to the network client.

4. (Currently Amended) A computer-readable storage medium containing a program for streaming multimedia content from a network server to a network client, the program having

instructions that are executable by the network server to perform a method for presenting multimedia content, the method comprising:

for each of a plurality of playback speeds,

composing ~~[[a]]~~ multiple composite media ~~streams~~ ~~stream-speed~~ representing the multimedia content for the playback speed with varying quality requiring varying network bandwidth, wherein ~~the~~ a composite media stream includes a media stream of a first type and a media stream of a second type different from ~~than~~ the first type, and includes a timeline that is modified by:

modifying in a linear manner a timeline of the media stream of the first type based on the playback speed; ~~and~~

modifying in a non-linear manner a timeline of the media stream of the second type based on the playback speed, so that the timeline of the media stream of the second type is synchronized with the timeline of the media stream of the first type; and

for each of the multiple composite media streams for that playback speed and for a quality, composing a composite media stream for the quality from the modified timeline of the media stream of the first type and the modified timeline of the media stream of the second type; and

storing at the network server the composite media ~~streams~~ ~~stream~~ for that playback speed;

after composing and storing the composite media streams for the different playback speeds, for each of a plurality of network clients,

receiving from the network client a speed designation associated with a playback speed of multimedia content at the network client, wherein the speed designation identifies a speed factor relative to a default playback speed of the multimedia content;

selecting one of the plurality of playback speeds that most closely matches the received speed designation; and

streaming the composite media stream for the selected playback speed from the network server to the network client

so that the network client can render the composite media stream based on the speed designation and with the media stream of the first media type synchronized with the media stream of the second media type,

so that the network server can avoid having to compose a composite media stream after receiving a selection from a network client, and

so that communication bandwidth is saved by not having to send the unmodified multimedia content to the network client.

27. (Cancelled)

28. (Currently Amended) The method of claim 1 ~~27~~ including after receiving from the network client the selection of the multimedia content,

determining network bandwidth of the network;

composing a composite media stream from a media stream of the first media type with a first quality whose timeline was modified and from a media stream of the second media type with a second quality whose timeline was modified, the first quality being different from the

second quality, wherein the first and second qualities are selected so that the composite media stream does not exceed the available bandwidth.

29. (Cancelled)

30. (Currently Amended) The computer-readable storage medium of claim 4 ~~29~~ including after receiving from the network client the selection of the multimedia content,

determining network bandwidth of the network;

composing a composite media stream from a media stream of the first type with a first quality whose timeline was modified and from a media stream of the second type with a second quality whose timeline was modified, the first quality being different from the second quality, wherein the first and second qualities are selected so that the composite media stream does not exceed the available bandwidth.

Reasons for Allowance

9. Claims 1, 4, 17-19, 28 and 30 are allowed as amended above.

The following is an examiner's statement of reasons for allowance:

The closest prior arts of record issued to Katseff et al. (US 5822537 A), Kalra et al. (US 5953506 A), Moran et al. (US 6332147 B1) and Trueblood (US 5893053 A) together fail to teach or suggest "a method of obtaining and presenting multimedia content, comprising the following steps: providing multiple media streams at a network server corresponding to the multimedia content, the multiple media streams including streams corresponding to at least first and second media types, the media streams of the first media type and of the second media type having timelines, wherein the media streams of the first and second media types can be rendered in combination to produce the multimedia content; for each of a plurality of different playback speeds, composing multiple composite media streams that represent the multimedia content for that playback speed with varying quality requiring varying network bandwidth, by selecting the media stream of the first type and modifying in a linear manner a timeline of the selected media stream of the first type based on that playback speed, selecting the media stream of the second type and modifying in a non-linear manner a timeline of the selected media stream of the second type based on that playback speed; and for each of the multiple composite media streams for that playback speed and for a quality, composing a composite media stream for the quality from the modified media stream of the first type and the modified media stream of the second type; and storing at the network server the composite media streams for that playback speed; and after composing and storing the composite media streams for the different playback speeds, for each of a plurality of network clients, receiving from the network client a selection of the multimedia

content to be rendered at the network client; receiving from the network client a selection of a speed designation received at the network client from a human user, wherein the speed designation is a speed factor relative to a default playback speed of the selected multimedia content; selecting one of the plurality of playback speeds that most closely matches the received speed designation; and streaming the composite media stream for the selected playback speed from the network server to the network client, the composite media stream representing the selected multimedia content; so that the network client can render the composite media stream based on the speed designation and with the media stream of the first media type synchronized with the media stream of the second media type, so that the network server can avoid having to compose a composite media stream after receiving a selection from a network client, and so that communication bandwidth is saved by not having to send the unmodified multimedia content to the network client ” in combination with all the elements of each independent claim as argued by Applicant. Applicant has argued that Katseff does not disclose the limitation combination of “composing multiple composite media streams that represent the multimedia content for that playback speed with varying quality requiring varying network bandwidth, by selecting the media stream of the first type and modifying in a linear manner a timeline of the selected media stream of the first type based on that playback speed, selecting the media stream of the second type and modifying in a non-linear manner a timeline of the selected media stream of the second type based on that playback speed; and for each of the multiple composite media streams for that playback speed and for a quality, composing a composite media stream for the quality from the modified media stream of the first type and the modified media stream of the second type; and storing at the network server the composite media streams for that playback speed; and after

composing and storing the composite media streams for the different playback speeds, for each of a plurality of network clients” and “selecting one of the plurality of playback speeds that most closely matches the received speed designation; and streaming the composite media stream for the selected playback speed from the network server to the network client, the composite media stream representing the selected multimedia content” (see 3rd paragraph on page 10 of current amendment). These arguments are considered persuasive. Claims 1 and 4 are to be allowed upon further search and examination.

The dependent claims further limit the independent claims and are considered allowable on the same basis as the independent claims as well as for the further limitations set forth. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peling A. Shaw whose telephone number is (571) 272-7968. The examiner can normally be reached on M-F 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Peling A Shaw/
Examiner, Art Unit 2444